

Notice of Allowability

Application No.

09/707,671

Applicant(s)

AMIN ET AL.

Examiner

Art Unit

Meless N. Zewdu

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/27/06.
2. ☒ The allowed claim(s) is/are 12-15,17,18,20,22-25,27-41 and 43-52.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>11/3/06</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on 10/27/06.
2. Claims 16, 19, 21, 26 and 42 were previously cancelled.
3. Claims 1-11 are cancelled in the current amendment.
4. Claims 12-15, 17, 18, 20, 22-25, 27-41 and 43-52 are pending in this action.
5. Claims 12-15, 17, 18, 20, 22-25, 27-41 and 43-52 are allowed.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Zagorin, Mark (Reg. No. 36,067) on 11/03/06.

The application has been amended as follows:

Please amend the claims as follows:

In claim 28, on line 3, replace "said user" with --- a user ---,

In claim 43, on line 9, insert --- a subscriber identity module (SIM) of --- next to the word "preprogramming",

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In claim 43, on line 10, insert --- (IP) --- next to the word "protocol",

In claim 43, on line 10, insert --- coupled to the wireless network --- next to the word "server" and cancel the phrase "**in a subscriber identity module (SIM)**" thereafter,

In claim 43, on line 12, insert the phrase --- from the wireless device, the attach request signal --- next to the word "**signal**",

In claim 43, on line 14, add the phrase --- of the wireless network --- next to the last word "channel",

In claim 44, line 4, replace the phrase "**unprogrammed mobile station**" with --- wireless device when unprogrammed ---,

In claim 44, on line 6, replace "**of an**" with --- that the wireless device is ---,

In claim 44, on line 6, replace "mobile station" with --- wireless device ---,

In claim 45, on line 3, replace "mobile station" with --- wireless device ---,

In claim 47, on line 5, replace "mobile station" with --- wireless device ---,

In claim 47, on line 7, replace "mobile station" with --- wireless device ---,

In claim 48, on line 3, replace "mobile station" with --- wireless device ---

In claim 48, on line 3, replace "an" with ---- the ---

In claim 48, line 4, cancel the word "preprogrammed" insert --- preprogrammed -- -- next to the word "address",

In claim 48, on line 4, replace "mobile station's" with --- wireless device's ---,

In claim 48, on line 5, insert --- of the wireless device ---, next to the word "address",

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In claim 49, on line 3, replace "mobile station" with --- wireless device ---,

In claim 50, on line 3, replace "mobile station" with --- wireless device ---,

In claim 52, on line 3, replace "mobile station" with --- wireless device ---,

In claim 48, on line 4, replace "mobile station" with --- wireless device ---,

Allowable Subject Matter

Claims 12-15, 17, 18, 20, 22-25, 27-41 and 43-52 are allowed.

The following is an examiner's statement of reasons for allowance:

As per claims 12-15, 17, 18 and 20: the claims are directed to programming/activating a mobile station. The prior art of record does not teach or fairly suggest a mobile station, having a temporary IMSI stored therein and placed in an activation mode, for receiving a permanent IMSI during the activation mode, and wherein the reception is according to a data transmission protocol, as recited, particularly in claims 12 and 18.

As per claim 22-25 and 27-31: the features of claims 22-25 and 27-31 are directed to programming/activating a mobile communication device that include a programmable module therein. The prior art of record does not teach or fairly suggest storing, in the mobile's module, a temporary operating parameter that enable the mobile device to be in an activation mode, during which the mobile device establishes a data communication with a data network node so as to receive and store an assigned operating parameter, after which the mobile detaches itself from the network node and

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generates a reattach request using the assigned (newly received) operating parameter, as recited, particularly in claim 22.

As per claim 38-41: the claims are directed to activating/programming an unprogrammed mobile station by connecting the mobile station to a service node. The prior art of record does not teach or fairly suggest storing an activation identifier in a memory of the mobile station and transferring the unprogrammed mobile station from a data control channel to a corresponding packet channel and activating the mobile according to the activation identifier, as recited particularly in claim 41.

As per claims 32-37 and 43-52: the claims are directed to activating/programming a wireless device by attaching the wireless device to a wireless network. The prior art of record does not teach or fairly suggest preprogramming a subscriber identity module (SIM) of the wireless device with a temporary mobile station identification and internet protocol (IP) address of an activation server coupled to the wireless network, wherein the wireless device sends an attach request, including the temporary mobile station identification, to a serving general packet radio service support (SGSN) over a packet control channel to receive activation options, as recited particularly in claim 43.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Banks-Harold Marsha can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Meless zewdu



Examiner

11-03-06

06 November 2006.